

HISTORIC PRESERVATION COMMISSION

Minutes

January 11, 2006
Salisbury, North Carolina

The Historic Preservation Commission for the City of Salisbury met in regular session on Thursday, December 14, 2006, in the Council Chambers at the City Hall, 217 S. Main Street.

The meeting was called to order by the Chairman, Michael Young.

Other members present were: Jack Errante, Raemi Evans, Ronald Fleming, Susan Hurt, Judy Kandl, Anne Lyles, Anne Waters, and Wayne Whitman

Michael Young welcomed all persons present and read the meeting's purpose and procedures.

Requests for Certificates of Appropriateness

H-01-07 402 S. Fulton St. – Dr. Gerred Popejoy, owner

Request: Work Shed - wood painted beige to match existing garage, asphalt shingled roof matching existing garage.

Gerred Popejoy was sworn to give testimony for the request.

Staff presented slides as Dr. Popejoy presented testimony for the approval of a garden and tool shed which has been located beside the garage and enclosed within a fenced boundary not visible from the street. He testified that the shed is constructed of wood and matches the garage.

Ron Fleming read the following guidelines from Chapter 2 Changes to Buildings – Garages and Outbuildings:

6. If a historic garage or outbuilding is completely missing, replace it with either a reconstruction based on accurate documentation or a new design compatible with the historic character of the main building or historic outbuildings in the district.
7. Keep the proportion and the height of new garages and outbuildings compatible with the proportion and the height of historic garages and outbuildings in the district.
8. In constructing new garages and outbuildings, use traditional roof forms, materials, and details compatible with the main building or historic outbuildings in the district. Prefabricated storage buildings are appropriate provided they have a shingle roof and are made of wood painted in a color that complements the house. Storage buildings constructed of metal, vinyl or plastic are not appropriate.
9. Locate new garages and outbuildings in rear yards and in traditional relationship to the main building.

Responding to a question from Susan Hurt, Dr. Popejoy informed the Commission that although he built the shed according to the guidelines, he was not aware until after hearing from Wendy Spry that he actually needed the Commission's approval before the construction.

There was no one present to speak in support or opposition to the request.

Michael Young noted that all the guidelines had been followed. Therefore, with no one present to speak in support or opposition and with no further questions from the Commission, Raemi Evans made the following motion: "I move that the Commission find the following facts concerning Application #H-01-07 – that Dr. Gerred Popejoy, owner of 402 S. Fulton St., appeared before the Commission and sought a Certificate of Appropriateness for a tool and garden shed constructed of wood and painted beige, with an asphalt shingle roof to match an existing garage; that no one appeared before the Commission to support or oppose this request, this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 2 – Changes to Buildings – Garages & Outbuildings, pages 22-23, guidelines 6-9 of the Residential Historic District Design Guidelines; there were no mitigating factors; therefore, I further move that a Certificate of Appropriateness for Application #H-01-07 be granted to Dr. Gerred Popejoy, owner of 402 S. Fulton Street, to make the changes detailed in the application."

Jack Errante seconded the motion; all members present voted AYE.

H-02-07 202 E. Bank St. – Clyde Overcash, owner

Request: Demolition of house. - **APPLICANT NOT PRESENT**

H-41-06 202 N. Lee St. – SBJA LLC, owner

Request: Facade renovation/addition; revisions to previous approval

Jake Alexander and Clay Lindsay were sworn to give testimony for the requests.

Staff presented slides.

Mr. Alexander began the presentation by informing the Commission that they were seeking approval for a new elevation for their building because they are not satisfied with the elevation as requested and approved at the September 2006 meeting.

From the slides, 2 different plans were shown for approval – one with arched topped windows, and the other without the arch top. Mr. Alexander said their budget would determine which was chosen.

The new elevation drawings were presented, which showed that in addition to the elevation change, they have also added 1300 sq ft. which will fill the lot out to the corner.

Mr. Alexander further informed the Commission that brick will replace a lot of the glass at the front entrance of the building which will add more symmetry to it. Samples of both the glass and the brick blend were presented.

In response to Michael Young's question relating to the brick band at the bottom of the glass, Clay Lindsay stated that the band is lower than the traditional 2 feet because the architect was trying to give the building an appearance of height since it is so short.

Mr. Alexander stated that from inside the building, the windows are not as low as they appear from the outside because the sidewalk is 9 -12 inches higher than the floor elevation.

Judy Kandl, in referring to the 1300 sq. ft. addition, asked how much of the sidewalk would be left and if it would still comply with what is required. Clay Lindsay testified that it would come out not more than 6 inches and should still comply. He stated that he had not checked to find out if an easement would be required to come out into the sidewalk.

Ms. Kandl commented that extending the building out into the sidewalk was not the normal solution for dealing with extreme length. She said, "You usually see pilasters or piers." She cited the Gateway Building and the new Police Department as examples of buildings that have used the pilaster system.

Clay Lindsay stated that there is not a lot of opportunity for projection for the building because of the sidewalk spacing. He also noted that it is not a historic building.

Michael Young stated that sometimes leeway has been given on modern construction as long as it is compatible. He then read the Non-Residential guidelines from New Construction and Additions, guidelines 13-17 as follows:

13. Architectural details such as windows, arches, and cornices should complement that of existing historic structures.
14. Aluminum cladding, vinyl and plastic siding and details are not appropriate.
15. The size and rhythm of a building's fenestration (doors and windows) should be compatible with existing structures in the district.
16. New windows and doors should be compatible in proportion, shape, position, location, pattern, and size with windows and doors of contributing structures in the district.
17. Contemporary construction that does not directly copy from historic buildings in the district but is compatible with them in height, proportion, roof shape, material, texture, scale, detail, and color, is strongly encouraged.

Commission members agreed that the building is more attractive with the straight windows in comparison with the arch top windows.

In response to Judy Kandl's comments concerning the rhythm of the windows, Jake Alexander and Clay Lindsay both stated that there was also no rhythm in the existing windows.

From the slides, Clay Lindsay pointed out that the windows are not evenly spaced, and are stated that they are working with the existing openings for the new windows.

Michael Young stated that since they are working with an existing building with an existing floor plan he could live with the existing rhythm of the windows. Susan Hurt agreed saying, “we are somewhere between big improvement and deal.”

In response to a question from Jack Errante, Janet Gapen read the following code concerning encroachment: *It is permissible, with the approval of the City Council, to make such an encroachment depending on the following conditions:*

- *The building to be restored, reconstructed, or added on shall be at least 15 years old.*
- *The right-of-way of the street has to be 45 ft. minimum.*
- *The encroachment shall not be more than 4 ft. or for more than 1/3 of the sidewalk, whichever is less.*

Ms. Gapen further stated that the owner would have to sign an agreement to hold the city harmless against any and all liability that might be related to the encroachment. She suggested that the Commission consider approving the request contingent upon the encroachment agreement being met.

There was no one present to speak in support or opposition to the request.

Wayne Whitman made the motion as follows: “I move that the Commission find the following facts concerning Application #H-41-06 – that Jake Alexander and Clay Lindsay, applicants for appeared before the Commission and sought a Certificate of Appropriateness for SBJA, LLC, owner of 202 N. Lee Street appeared before the Commission and sought a Certificate of Appropriateness to do a façade renovation/addition; revisions to previous approval, that no one appeared before the Commission to support or oppose this request; this request should be granted based on The Secretary of Interior Standards for Rehabilitation and Chapter 3 New Construction – Additions, pages 57-58, guidelines 1-17 of the Non-Residential Historic District Design Guidelines; that the new construction will have flat windows except for the arches at the entrance at the end; therefore, I further move that a Certificate of Appropriateness for Application #H-41-06 be granted to the applicants for SBJA, LLC, owner of 202 N. Lee Street to make the changes detailed in the application, with the stipulation that City Council approval is granted for the encroachment.”

Jack Errante seconded the motion; all members present voted AYE.

Other Business

Draft guidelines related to Public Art Janet Gapen presented Commissions members with an incomplete draft of proposed guidelines for public art. She asked the members for their suggestions on how they wanted to approach the guidelines.

Michael Young said the Public Arts Committee would probably be helpful. He suggested that the Commission review the draft and then discuss again at the February meeting.

Janet Gapen agreed and asked that the members, in reviewing the draft, think about the criteria that would be relevant for the placement of public art, and what the perimeters of the review process should be.

She stated that she had been unsuccessful in her attempts to find public art guidelines from other cities in order to have something to start with.

In response to a question from Judy Kandl who asked what the emphasis was in trying to come up with guidelines for public art, Ms. Gapen stated that the city is getting closer to a point where there will be new installations of public work. She stated that one component of public art process is a sub-committee that is currently looking for a piece of art to place near the square, and when found would be the first piece within a local historic district. Also, there is a potential, she stated, for a larger scale project proposed for an area in downtown that the Commission would also need to review. She said it would certainly be helpful to have guidelines to reference at that time.

2007-2008 Goals

Janet Gapen presented a power point presentation of the 2006-07 highlights and 2007-08 goals. Ms. Gapen stated that one main focus of activities for last year was trying to increase public awareness. This was done through a newsletter that is published twice a year, ACCESS 16, a presentation to the Association of Realtors, information for new residents at the customer service counter, and celebration of Preservation Month.

Ms. Gapen also noted that a lot of work had gone into organizing public hearings and efforts to find alternatives to the Fisher St. demolition.

In addition, 46 Certificates of Appropriateness were issued, and 167 minor works were approved.

Goals Requiring Funding

- Apply for Historic Preservation Fund matching grant to expand National Register districts (local match required) \$20,000
- Continue Historic Preservation Incentive Grant Program \$30,000

High Priority Goals - Not Requiring Funding

- Raise public awareness of the historic district guidelines through newsletters, brochures, and Access 16.
- Continue efforts to inform real estate agents, local closing attorneys and contractors about historic districts and the design guidelines.
- Continue efforts to inform new residents about the design guidelines.
- Provide easy-to-see notices that can be posted on a window or door signifying that the work in progress has received a Certificate of Appropriateness.

Michael Young stated that the notice in the window would be great for after-approval; however, he would still like to see a sign in the yard of applicants informing the public that they will appear before the Commission on the said date requesting a COA; such as the signs that are posted for re-zoning hearings.

Anne Lyles agreed.

Ms. Gapen informed the Commission that the city's Street Department can make a sign to post when a demolition has been requested that could remain on the property for the entire period including the 365-day delay.

She suggested the possibility of the property being posted only when there is a significant change being requested, such as for demolition. However, following the discussion it was decided that drawing a line between requests would probably not be a good idea.

Michael Young asked that Ms. Gapen work on a sign design for the yard sign and make a presentation to the Commission at a later time.

- Continue to push for local legislation for regulating demolition in the Downtown Historic District.

In response to a question from Wayne Whitman Ms. Gapen stated that she was not sure that rails would fall under this particular legislation, but would look further into it to be sure.

- Renew temporary ordinance restrictions on demolition until a local bill is enacted. Current ordinance expires July 1, 2007.
- Create a digital photographic archive of historic district properties.
- Revise the Certificate of Appropriateness application and develop checklists to help simplify the application process.
- Take advantage of training and educational opportunities for commission members and staff.

Medium Priority Goals – Not Requiring Funding

- Re-evaluate and consider changes to the Historic District Design Guidelines for signage.

The following persons volunteered to make up the committee to review guidelines for signs: Jack Errante, Wayne Whitman, and Michael Young,

Michael Young made the motion to accept the committee as named; Susan Hurt seconded the motion, and all members present voted AYE.

- Coordinate 2nd Annual Preservation Month events to promote historic preservation.

The following persons volunteered to serve on the Preservation Month Committee: Susan Hurt, Judy Kandl, Anne Waters, and Michael Young.

Raemi Evans, whose term will expire in March, has an idea for the event and will present it at the February meeting.

Michael Young made the motion that the named persons make up the committee; Anne Lyles seconded the motion; all members present voted AYE.

Report of Enforcement Activity at 202 E. Bank Street

Wendy Spry began the report by informing the Commission that Clyde Overcash, the property owner of 202 E. Bank Street submitted an application to appear before the Commission to change the asphalt roof to a regular in August 2004. The request appeared on the agenda for three consecutive HPC meetings but Mr. Overcash never appeared at any of the meetings. The request was finally pulled.

In September 2006, she noticed that the roof had been replaced without approval. A certified letter was sent to inform Mr. Overcash that he needed to get approval for the change. In addition to the letter, she talked with you several times on the phone requesting that he come before the Commission for approval.

On Dec. 15th, she and Janet Gopen noticed that a cupola had been constructed on the roof, also without permission, causing her to issue a stop order. On that same afternoon, Mr. Overcash came to see her and was very unhappy. At the end of their altercation, she stated, he submitted an application for demolition of the house, as shown on the agenda of the present meeting.

Ms. Spry stated that Mr. Overcash had been informed that if he or a notarized agent did not appear at the meeting, no action would be taken and the application would be considered null and void.

Ms. Spry said she would now consult with her supervisors to see how to proceed with the enforcement.

Anne Lyles, a resident of the Brooklyn South Square Historic District, informed the Commission that the neighborhood has noticed all that has taken place and said, "but we really don't have any problem with the cupola."

Slides were shown of the house as Janet Gopen stated that with the changes that have occurred at the house, she does not believe that it would be considered a contributing structure any longer because the significant architecture has been modified. She gave the description of the house as described in the National Register and stated that the two main features have been removed. She stated that the cupola which has been added to the house is not consistent with the time period of the house.

In response to a question from Jack Errante, Ms. Gopen stated that Mr. Overcash has just recently owned the property but prior to legal ownership had maintained control over it for the owner. She also stated that the house is not habitable and has been vacant for some time.

Janet Gapen passed out a new members listing, and other information pertinent to the Commission.

Minor works: There were no questions relative to the minor work approvals submitted by Wendy Spry.

Minutes

Wayne Whitman made a motion to accept the minutes as presented. The motion was by Susan Hurt; all members present voted AYE.

Adjournment

With no other business to come before the Commission the meeting was adjourned at 7:00 p.m.

Michael Young, Chairman

Judy Jordan, Secretary